



PATENT APPLICATION
Docket No. 1384.2.3D

2135
#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : John W.L. Ogilvie
Serial No.: 09/929,420
Filed: August 14, 2001
Title: MESSAGE CONTENT PROTECTION AND
CONDITIONAL DISCLOSURE
Examiner: Tracey Akpati (Art Unit 2135)

RESPONSE

The Honorable Commissioner of
Patents & Trademarks
Washington, D. C.

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Technology Center 2100

Commissioner:

In response to the Office Action mailed December 31, 2003, Applicant respectfully submits the following remarks and requests favorable reconsideration of the application.

Remarks

The Office Action rejects all pending claims under 35 U.S.C. § 102 or § 103. The rejections rely on mistaken assertions regarding U.S. Patent No. 5537533 ("Staheli"), U.S. Patent Application 2001/0052071 ("Kudo"), or both.

With regard to Kudo, Applicant notes that the Kudo document actually cited was filed July 14, 1998, a date which is **later** than the priority date of Applicant's provisional application 60/078175 filed March 16, 1998. The cited Kudo document does claim priority to two Japanese applications, but the actual content of those priority documents has not been discussed or cited by the Office. Applicant notes that the Examiner may obtain a translation of the Japanese applications, pursuant to M.P.E.P. § 901.05(d), if the Examiner chooses to rely on the date and content of the Japanese applications.

However, even if the content of the Japanese applications matches the content of the cited U.S. application by Kudo, the rejections should be withdrawn. Kudo fails to teach "hiding copies of sensitive information" as required by claim 19 and its dependent